

REMARKS

I. Preliminary remarks

Claims 1-4, 6, 9, 12-14, 20, 24-33, 39, 47, 48, 50-53, 55-65, 79-88, and 136-153 are currently pending. Claims 5, 7, 8, 10, 11, 13, 15-19, 21-23, 34-38, 40-46, 49, 54, 66-78, 89-135, and 154-161 have been cancelled. Claim 33 has been amended to remove a typographical error and claims 33 and 39 have been amended to introduce the appropriate SEQ ID NOs. Support for this amendment can be found in the specification s originally filed at, for example, pages 5-6.

No new matter has been introduced in this amendment.

II. Sequence compliance

At page 2 of the Office Action mailed on May 6, 2011 , the Examiner indicated that the claims and/or specification are not in full compliance with 37 CFR 1.821(d) for failure to refer to the appropriate sequence identifiers (SEQ ID NO). In response, Applicants have amended claims 33 and 39 to introduce the appropriate SEQ ID NOs.

III. Restriction requirement and election

Beginning at page 2 of the Office Action of May 6, 2011, the Examiner required Applicants to elect of species for each of the asserted groups (a) through (c). In response, Applicants elected the following species:

Group A: The antibody comprising heavy and light chain amino acid sequences as set in SEQ ID NO: 43 and SEQ ID NO: 53, respectively.

Group B: IgG1 and, if necessary, a fragment of an IgG1 constant region that reduces ADCC;

Group C: zeledronate

At page 2 of the Office communication of August 9, 2011, the Examiner indicated that the Applicants' election failed to identify which antibody (RX1, 5H4, Mc1 or MC3) the elected sequences (SEQ ID NOs: 43 and 53) correspond, and which of the CDRs of

SEQ ID NOs: 1-6 and 10-38 are comprised in SEQ ID NOs: 43 and 53. The Examiner stated that when identifying CDR sequences, Applicants are required to identify which sequence corresponds to which CDR of the elected antibody. Finally, the Examiner also stated that Applicants have failed to point out which sequences of claims 33 and 39 correspond to the elected antibody.

In response, Applicants point out that SEQ ID NOs: 43 and 53 correspond to human engineered sequences of antibody RX1 (See, e.g., Figures 19 and 22, respectively). SEQ ID NO: 43, comprises the CDR sequences set out in SEQ ID NOs: 18, 21 and 24 (CDRs 1, 2, and 3, respectively; see, e.g., Figure 16A). SEQ ID NO: 53 comprises the CDR sequences set out in SEQ ID NOs: 32 and 36 (CDRs 2 and 3, respectively; see, e.g., Figure 16B). Finally, of the sequences recited in claim 33, SEQ ID NOs: 124 and 126 correspond to the elected antibody (i.e., in addition to SEQ ID NO:43). Of the sequences recited in claim 39, SEQ ID NO: 128, corresponds to the elected antibody (i.e., in addition to SEQ ID NO:53).

As a result, claims 1-4, 6, 9, 12-14, 20, 24-30, 33, 39, 47, 48, 50-53, 55, 59-65, 79, 80, 82, 83, 85-88, and 136-153 are currently under examination.

CONCLUSION

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

By /Eric M. Brusca #52,664/
Eric M. Brusca (Reg. No. 52,664)
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant